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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE NUNEZ, et al.

Defendants.

CASE NO. 1:24-CR-00128-JLT-SKO

STIPULATION AND ORDER REGARDING
EXCLUDABLE TIME PERIODS UNDER SPEEDY
TRIAL ACT

DATE: January 15, 2025

TIME: 1:00 p.m.

COURT: Hon. Sheila K. Oberto

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. Defendants are set for a status conference on **January 15, 2025**, in front of the Honorable Sheila K. Oberto, U.S. Magistrate Court Judge. The parties wish to **continue the status conference to May 7, 2025 and exclude time through that date.**

2. The parties agree and stipulate, and request that the Court find the following:

a. This is a "complex case" due to the number of defendants and the nature of the prosecution, making it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by the Speedy Trial Act.

b. The discovery associated with this case is voluminous and includes tens of thousands

of pages, including investigative reports, photographs and videos, as well as hundreds of hours of recorded conversations, many cellular phone extractions, and large amounts of cellular telephone precise location data and vehicle tracker data. All this discovery has been either produced directly to counsel and/or made available for inspection and copying.

- c. Counsel for defendants desire additional time to consult with their clients, conduct investigation, review the voluminous discovery, prepare for a possible trial, and explore a potential pre-trial resolution of the case.
- d. The government has made offers in the case to several of the defendants and is in the process of making offers to the remaining defendants. Defense counsel needs additional time to review those offers and prepare their client for a potential change of plea hearing.
- e. Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
- f. The government does not object to the continuance.
- g. Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.
- h. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of January 15, 2025 to May 7, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(i), B(ii), and B(iv) because the case is so unusual or so complex, due to the number of defendants, the nature of the prosecution, or the existence of novel questions of fact or law, that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by this section. This stipulation also results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

3. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: January 2, 2025

PHILLIP A. TALBERT
United States Attorney

/s/ JUSTIN J. GILIO
JUSTIN J. GILIO
Assistant United States Attorney

Dated: January 2, 2025

/s/ W. Scott Quinlan
W. Scott Quinlan
Counsel for Defendant
Jose Nunez

Dated: January 2, 2025

/s/ E. Marshall Hodgkins
E. Marshall Hodgkins , III
Counsel for Defendant
Jesus Perez Garcia, Jr.

Dated: January 2, 2024

/s/ Galatea DeLapp
Galatea DeLapp
Counsel for Defendant
Andres Silva-Corona Perez

Dated: January 2, 2025

/s/ Monica Bermudez
Monica Bermudez
Counsel for Defendant
Ruben Saenz

Dated: January 2, 2025

/s/ Roger Dale Wilson
Roger Dale Wilson
Counsel for Defendant
Elvis David Vasquez

1 Dated: January 2, 2025

/s/ Serita Rios

Serita Rios
Counsel for Defendant
Mirella Castillo

4 Dated: January 2, 2025

/s/ Timothy P. Hennessy

Timothy P. Hennessy
Counsel for Defendant
Sergio Pena

7 Dated: January 2, 2025

/s/ Ken Moyal

Ken Moyal
Counsel for Defendant
Kiara Sinaii Valdivia

10 Dated: January 2, 2025

/s/ Douglas C. Foster

Douglas C. Foster
Counsel for Defendant
Jesus Rafael Ulloa Vallejo

14 Dated: January 2, 2025

/s/ Anthony Michael Solis

Anthony Michael Solis
Counsel for Defendant
Calvin Guntetong

17 Dated: January 2, 2025

/s/ Harry Drandell

Harry Drandell
Counsel for Defendant
Jacklyn Mlady-Saenz

20 Dated: January 2, 2025

/s/ Mark B. Broughton

Mark A. Broughton
Counsel for Defendant
Jose Galan Lopez

24 Dated: January 2, 2025

/s/ Elon Berk

Elon Berk
Counsel for Defendant
Christian Jair Sanchez Rodriguez

27 Dated: January 2, 2025

/s/ Garo Ghazarian

Garo Ghazarian
Counsel for Defendant
Allen Khamtrashyan

1 Dated: January 2, 2025

/s/ Melissa B. Baloian
Melissa B. Baloian
Counsel for Defendant
Emily Vela

6
7 **ORDER**

8 IT IS SO ORDERED.

9
10
11 DATED: 1/7/2025

Sheila K. Oberto
THE HONORABLE SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE